

## Services Provided by Military Defense Counsel

- UCMJ Proceedings (Courts-Martial, Article 15s)
- Adverse Administrative Actions (Officer and Enlisted Discharge Proceedings, Administrative Demotion Actions, Officer Grade Determinations)
- Accident Investigations
- Boards of Officers
- Courts of Inquiry
- Faculty Boards
- Flying Evaluation Boards
- Foreign Criminal Jurisdiction Advice
- Letters of Counseling, Admonishment or Reprimand, Unfavorable Information Files, and Related Matters
- Line of Duty Investigations
- Medical Officer Decredentialing Boards
- Mental Health Evaluations
- OPR/EPR Referral Responses, Promotion Proprietary Actions, Selective Reenlistment Program
- Parole Revocation, Reports of Survey
- Whistleblower Protection cases (includes representation of civilian employees overseas)



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United States Air Force  
Air Force Legal Operations Agency  
Maxwell AFB, AL

## OFFICE OF THE AREA DEFENSE COUNSEL



# U.S. AIR FORCE

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## About the Area Defense Counsel



The ADC is completely autonomous from the Maxwell AFB and Columbus AFB leadership, which means we are not in the chain of command of anyone on these two bases, and there is no obligation or influence from anyone on either base. Furthermore, WE ARE NOT THE LEGAL OFFICE! We DEFEND, we do not prosecute.

The ADC's prime responsibility is to represent his or her client vigorously within the bounds of professional ethics. Furthermore, information given to the ADC and the defense paralegal by a military member seeking advice is held in strict confidence.

Please seek our guidance before reporting to these appointments. In most adverse actions, especially those under the Uniform Code Military Justice (UCMJ) and discharge instructions, a military member has the right to seek assistance of the ADC at the government's expense or a civilian attorney at your expense. If you wish to hire a civilian attorney, look for someone with experience in military justice and knowledge of how the UCMJ works. You have confidentiality with the ADC, the defense paralegal, and any other member of the defense team. You also have confidentiality with the chaplain if you seek guidance for spiritual and religious reasons. You **DO NOT** have confidentiality with anyone else. That includes doctors, supervision, friends, and relatives. Anything you say to someone other than your chaplain and the defense team can and probably will be used against you. If you are ordered to an appointment at Life Skills or Family Advocacy, you must report to the appointment, but you cannot be ordered to disclose information that could incriminate you. Please call us immediately if you are ordered to report to Life Skills or Family Advocacy.

While we have some of the best clients in the world, our greatest successes as defenders are the Airmen that never have to become clients. Our goal is to help even just one Airman from making an easily avoidable mistake that will result in us working together to fix it. We offer these suggestions not just as a defense team, but as a Judge Advocate and Paralegal who have spent the majority of our careers in Military Justice.

## Top 10 ways to stay out of trouble while in the Air Force...

*10. Stop being irresponsible with alcohol. Alcohol is undoubtedly the quickest way to our office. If you are underage, do not drink. If you are over 21, drink smart, never get behind the wheel and do not give your underage friends alcohol.*

*9. Don't use drugs. Drug use remains the most common court-martialed offense in the Air Force. This is because it is easy to catch drug users. If you think you are clever enough to outwit the combined resources of Drug Demand Reduction Urinalysis Program, the Office of Special Investigations, the Legal Office, the Security Forces Office of Investigations and your command, think again. This includes prescription drugs that are not yours as well as illegal drugs.*

*8. Do not lie, even a little. There is no gray area when making an official statement. Getting cute with the facts is a sure-fire way to our office.*

*7. Live within your means; James Bond can afford an Aston Martin — you and I probably can't afford an Aston Martin .*

*6. Be likeable and valuable; good troops get breaks because they've earned them.*

*5. Always be squared-away and 10 minutes early; your uniform, haircut, military bearing and punctuality really do reflect who you are.*

*4. Be very careful engaging in sexual activity when alcohol is involved. Poor judgment in this arena is often a direct route to a General Court-Martial, with a potential of 20 or more years in confinement and a dishonorable discharge. No hookup is worth decades of your life at jail. And "No" means "No"!*

*3. Be smart when using computers at home or at work. Things you download or send can come back to haunt you. If you are not sure if it is appropriate for work it probably isn't.*

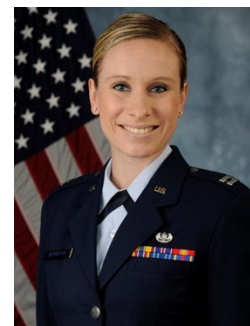
*2. Be careful who you hang out with; if a "friend" does something stupid, you will eventually get caught up in it as well and they will probably tell investigators about your involvement.*

*1. One very important and misunderstood idea is that YOU HAVE RIGHTS! The right to be informed of the specific offenses you are suspected of committing. The right to remain silent, that is, SAY NOTHING AT ALL because any statement you make, oral or written, CAN AND WILL be used as evidence against you in a trial by court martial or any other judicial or administrative action. The right to an appointed military lawyer, free of charge. You have the right to obtain a civilian lawyer of your own choosing and at your own expense. The right to consult with a lawyer and have a lawyer present during any interrogation. The right to terminate an interrogation at any time. WITNESSES ARE NOT READ THEIR RIGHTS... SUSPECTS ARE!*

The quickest way to stop an interrogation is with four magic words: I WANT A LAWYER!!!

## YOUR DEFENSE TEAM

Area Defense Counsel  
Capt Johanna K.B. Bernstein



Captain Johanna K.B. Bernstein is the Area Defense Counsel at Maxwell AFB, AL. She provides legal counsel and represents military members at Maxwell AFB, AL and Columbus AFB, MS who face court-martial, administrative proceedings or other adverse actions.

Prior to this assignment, Capt Bernstein served as the Chief, Military Justice for the 11th Wing at Joint Base Andrews, MD. She also served as the Chief, Military Justice at Hill Air Force Base, Utah. Capt Bernstein received a direct commission as an Air Force Judge Advocate in 2010 and entered active duty in March 2010. She is admitted to practice law before the Supreme Court of the State of California, the Air Force Court of Criminal Appeals, and the United States Court of Appeals for the Armed Forces.

Defense Paralegal  
SSgt Renwick A. Caldwell II



Staff Sergeant Renwick Caldwell II currently serves as the Defense Paralegal, Air Force Legal Operations Agency, Maxwell Air Force Base. SSgt Caldwell is responsible for assisting the Area Defense Counsel in the management of the ADC office. He assists in the defense of active duty members on courts-martial, Article 15s, administrative discharges, and other adverse administrative actions.

Prior to his current assignment he was stationed at Tyn-dall Air Force Base, FL as the NCOIC of Military Justice. In his previous career field, he served at the 1st Special Operations Helicopter Maintenance Squadron at Hurlburt Field Air Force Base, Florida as a weapons load team member.